

### REMARKS

The present amendment and request for reconsideration is filed in response to the Office Action mailed June 20, 2005, and the period of response having been extended until November 20, 2005. Claims 1-17 are pending in the application.

In the Office Action, the drawings were objected to as being informal. In response, applicants are enclosing a set of formal drawings. It is requested that the Examiner approve the drawings for entry into the application.

Claim 11 was objected to because of informalities in the language used. Applicants have amended Claim 11 to further clarify the subject matter regarded as the invention. It is believed that the meaning of Claim 11 is clear, and it is therefore requested that the Examiner withdraw the objection.

Claims 1, 3, 11-14, and 16-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cobb et al. "Model-based OPC using the MEFS Matrix," Proceedings of SPIE, Vol. 4889, 22<sup>nd</sup> Annual BACUS Symposium on Photomask Technology, Monterey, California, September 30-October 4, 2002, pp. 1-17. While the Examiner correctly indicates that the cited reference discloses an improved optical and process correction tool, the Examiner states that the reference "would suggest that the method must include calculating an error for the control sites in one or more fragmented polygons that is used to adjust the position and/or orientation of the control site or eliminate control [sites] from a polygon prior to applying the OPC tool in order to minimize the objective function (EPE)." Applicants respectfully traverse the rejection.

Applicants respectfully submit that the Examiner has not pointed to any teaching or suggestion in the Cobb reference disclosing the claimed combination of method steps including adjusting the position and/or orientation of control sites or to eliminate control sites from a polygon prior to applying an OPC tool to the polygons as set forth in Claim 1 or moving or

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removing identified control sites prior to the application of an OPC tool as set forth in Claim 11. In particular, the Examiner has not provided any basis and/or technical reasoning to reasonably support the conclusion that the Cobb et al. reference necessarily discloses adjusting, moving, or eliminating control sites from a polygon prior to applying an OPC tool to the polygons. Absent a showing by the Examiner where at least this feature is disclosed in the reference, it is submitted that the anticipation rejection is improper and should therefore be withdrawn. See M.P.E.P. § 2112.

Claims 1, 3, 11-14, and 16-17 were also rejected under 35 U.S.C. § 102(a) as being anticipated by Cobb et al., "Using OPC to Optimize for Image Slope and Improve Process Window," Proceedings of SPIE, Vol. 5130, Photomask Japan, Yokohama, Japan, April 16-18, pp. 1-7 (November 20, 2002). Applicants respectfully submit that while the technique described in the Cobb et al. paper shows moving edge positions in order to achieve a desired result such as improved EPE or improved contrast, the Examiner has not pointed to any teaching or suggestion in the reference that suggests adjusting the position and/or orientation of control sites or to eliminate control sites from a polygon prior to applying an OPC tool to the polygons as set forth in Claim 1 or moving or removing identified control sites prior to the application of an OPC tool as set forth in Claim 11. Therefore the anticipation rejection is in error.

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In light of the above, it is submitted that all pending claims are in condition for allowance. It is therefore requested that the Examiner withdraw the rejections and pass this case to issue at the earliest possible date.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: November 18, 2005 Patricia H. Tucker

RCT:pt

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